

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

	X	
In re ALUMINUM WAREHOUSING	:	Civil Action No. 1:13-md-02481-PAE
ANTITRUST LITIGATION	:	
	:	JOINT STIPULATION AND [PROPOSED]
	:	ORDER REGARDING DISMISSAL OF
This Document Relates To:	:	CERTAIN CLAIMS WITH PREJUDICE
	:	
<i>In re Aluminum Warehousing Antitrust</i>	:	
<i>Litigation (First Level Purchaser Plaintiffs),</i>	:	
Case No. 1:14-cv-03116-PAE (S.D.N.Y.)	:	
	X	

WHEREAS, on September 2, 2020, Defendants in the above-captioned action moved for summary judgment against all claims asserted by the First-Level Purchaser Plaintiffs (“FLPs”) and Individual Plaintiffs (“IPs”), with the sole exception of the claims of FLP Ampal Inc. (“Ampal”) arising from its purchases of roughly 2,200 metric tons of aluminum from Glencore Ltd. (“Glencore”) and Century Aluminum (“Century”). ECF Nos. 1286, 1287.

WHEREAS, on February 17, 2021, this Court granted Defendants’ motion for summary judgment and dismissed, for lack of antitrust standing, all claims brought by FLPs and IPs, except for Ampal’s claims arising from its purchases of aluminum directly from Glencore and Century. ECF No. 1320.

WHEREAS, on March 3, 2021, FLPs represented in a joint letter to this Court that they did not “wish to sit on the sidelines while issues that affect them are decided in the appeals court by [IPs].” ECF No. 1323 at 1.

WHEREAS, FLPs hereby withdraw and forever relinquish any contention that there is any reason to treat Ampal’s claims arising from its purchases of aluminum from Century any differently from claims based on purchases of aluminum from Rusal, Alcoa, Rio Tinto Alcan, or any other smelter.

NOW, THEREFORE, the undersigned parties, through their attorneys, stipulate and agree to the following:

1. Pursuant to Rule 41(a)(1)(A)(ii) of the Federal Rules of Civil Procedure, Ampal’s claims arising from its purchases of aluminum from Glencore are dismissed *with prejudice*, with each party to bear its own costs, including any attorney’s fees and other expenses related to this litigation.

2. Ampal's claims arising from its purchases of aluminum from Century are dismissed for the reasons set forth in the Court's February 17, 2021 order.

IT IS SO STIPULATED.

DATED: March 15, 2021

Respectfully submitted,

ROBBINS GELLER RUDMAN  
& DOWD LLP  
PATRICK J. COUGHLIN  
DAVID W. MITCHELL  
BRIAN O. O'MARA  
STEVEN M. JODLOWSKI  
CARMEN A. MEDICI  
ARTHUR L. SHINGLER III  
LONNIE A. BROWNE

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s/ Patrick J. Coughlin  
PATRICK J. COUGHLIN

655 West Broadway, Suite 1900  
San Diego, CA 92101  
Telephone: 619/231-1058  
619/231-7423 (fax)

ROBBINS GELLER RUDMAN  
& DOWD LLP  
SAMUEL H. RUDMAN  
ROBERT M. ROTHMAN  
58 South Service Road, Suite 200  
Melville, NY 11747  
Telephone: 631/367-7100  
631/367-1173 (fax)

ROBBINS GELLER RUDMAN  
& DOWD LLP  
MARK DEARMAN  
120 East Palmetto Park Road, Suite 500  
Boca Raton, FL 33432  
Telephone: 561/750-3000  
561/750-3364 (fax)

NUSSBAUM LAW GROUP, P.C.  
LINDA P. NUSSBAUM  
SUSAN R. SCHWAIGER  
1211 Avenue of the Americas, 40th Floor  
New York, NY 10036  
Telephone: 212/702-7053  
212/681-0300 (fax)

LOVELL STEWART HALEBIAN  
JACOBSON LLP  
CHRISTOPHER LOVELL  
500 Fifth Avenue, Suite 2440  
New York, NY 10110  
Telephone: 212/608-1900  
212/719-4677 (fax)

Interim Co-Lead Counsel for First Level Purchaser  
Plaintiffs and the Proposed First Level Purchaser  
Class

DATED: March 15, 2021

COVINGTON & BURLING LLP  
ROBERT D. WICK  
HENRY LIU  
JOHN S. PLAYFORTH

s/ Robert D. Wick (with permission)

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ROBERT D. WICK

One CityCenter  
850 Tenth Street, N.W.  
Washington, D.C. 20001  
Telephone: 202/662-6000  
202/662-6291

Attorneys for Defendants Henry Bath LLC, JP  
Morgan Securities plc, and JPMorgan Chase  
Bank, N.A.

DATED: March 15, 2021

SULLIVAN & CROMWELL LLP  
RICHARD C. PEPPERMAN II  
SUHANA S. HAN  
WILLIAM H. WAGENER

s/ Richard C. Pepperman II (with permission)  
RICHARD C. PEPPERMAN II

125 Broad Street  
New York, New York 10004-2498  
Telephone: 212/558-4000  
212/558-3588 (fax)

Attorneys for Defendants Goldman Sachs & Co.  
LLC, J. Aron & Company, Goldman Sachs  
International, Mitsi Holdings LLC and Metro  
International Trade Services LLC

DATED: March 15, 2021

SKADDEN, ARPS, SLATE, MEAGHER  
& FLOM LLP  
BORIS BERSHTEYN  
JULIA K. YORK

s/ Boris Bershteyn (with permission)  
BORIS BERSHTEYN

One Manhattan West  
New York, New York 10001  
Telephone: 212/735-3000  
212/735-2000 (fax)

Attorneys for Defendant Access World (USA)  
LLC (f/k/a Pacorini Metals USA, LLC)

DATED: March 15, 2021

CURTIS, MALLET-PREVOST, COLT  
& MOSLE LLP  
ELIOT LAUER  
JACQUES SEMMELMAN

s/ Eliot Lauer (with permission)  
ELIOT LAUER

101 Park Avenue  
New York, New York 10178  
Telephone: 212/696-6000  
212/697-1559 (fax)

Attorneys for Defendant Glencore Ltd., Glencore  
International AG, and Access World (Vlissingen)  
B.V.

\* \* \*

**ORDER**

IT IS SO ORDERED.

DATED: \_\_\_\_\_

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THE HONORABLE PAUL A. ENGELMAYER  
UNITED STATES DISTRICT JUDGE